

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

JOSE P. PIEDRA,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:17-cv-01417-ACA-HNJ
)	
JEFF SESSIONS, U.S. ATTORNEY)	
GENERAL, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

This case is before the court on respondents' Motion to Dismiss Petition as Moot, filed July 6, 2018. (Doc. 14). In the motion, respondents note petitioner was released from ICE custody on March 12, 2018, after an Immigration Judge in Tacoma, Washington, granted him withholding of removal. (Doc. 14-1, North Decl.). Because petitioner has been released, respondents contend this case is due to be dismissed as moot. (Doc. 14).

On August 21, 2017, petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to Mexico. (Doc. 1). Because petitioner has been released, his petition seeking that very relief is moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir.2003) ("a case must be dismissed as moot if the court can no longer provide 'meaningful relief'"); *see also Spencer v. Kemna*, 523 U.S. 1, 7-8 (1998) (once a habeas petitioner is released

from custody, he must demonstrate collateral consequences to avoid mootness doctrine). Accordingly, this matter is due to be dismissed. *Khader v. Holder*, 843 F. Supp. 2d 1202, 1202 (N.D. Ala. 2011).

A separate order will be entered.

DONE and **ORDERED** this July 12, 2018.

A handwritten signature in black ink, appearing to read 'Annemarie', is positioned above a horizontal line.

ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE